

STATE OF VERMONT  
PUBLIC SERVICE BOARD

Docket No. 7198

Petition of Audet's Cow Power, LLC for a certificate of )  
public good ("CPG"), pursuant to 30 V.S.A. Section )  
248(j) authorizing the installation of a 146.3 kVA )  
methane-fueled engine-generator set to supplement the )  
existing 344 kVA methane-fueled engine-generator set at )  
the Blue Spruce Farm located at 1796 Route 22A in )  
Bridport, Vermont in re: Amendment to CPG to reflect )  
replacement of the 344 kVA generator with a 750 kVA )  
generator )

Order entered: 9/15/2011

**ORDER RE: AMENDMENT TO CERTIFICATE OF PUBLIC GOOD**

**I. INTRODUCTION**

On September 9, 2004, the Public Service Board ("Board") issued a Certificate of Public Good ("CPG") to Audet's Cow Power, LLC ("Audet" or "Petitioner")<sup>1</sup> authorizing the construction of a farm methane generation project. The September 9 CPG was subsequently amended by the Board on September 8, 2006,<sup>2</sup> to allow the installation of an additional generator at the site.

On June 30, 2011, Audet filed a petition with the Board requesting a further amendment to its CPG to allow the replacement of a generator set and to eliminate restrictions on the use of alternate feedstock in the project digester.

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1. The 2004 CPG was issued to Blue Spruce Farm, Inc., in PSB Docket No. 6977. The Board subsequently authorized the transfer of the CPG to Audet, which has ownership interests similar to Blue Spruce Farm, Inc.

2. See PSB Docket 7198, Order of 9/8/06.

In this Order we approve Petitioner's request to replace an existing generator set and require Petitioner to file additional information to clarify its request regarding restrictions on the use of feedstock in the project digester.

## **II. BACKGROUND**

On June 30, 2011, Audet filed its petition to amend the CPG.

On July 7, 2011, Audet filed supplemental testimony regarding potential interconnection upgrades that may be required as a result of the change to the generator.

On August 1, 2011, the Department of Public Service ("Department") filed a letter requesting additional information regarding Audet's filing. On the same date, Central Vermont Public Service Corporation ("CVPS") filed a letter stating that CVPS will need to make certain upgrades to its system in order to enable interconnection of the proposed amended project. CVPS recommends that, if the Board issues a CPG for the project, it include a condition that requires Audet to work with CVPS to finalize the ongoing Facilities Study and to be responsible for, and pay for, the implementation of all interconnection equipment and system upgrades identified in the Facilities Study.

On August 8, 2011, Audet filed a letter providing additional information in response to the Department's August 1 request.

On August 10, 2011, the Department filed a letter stating that it was satisfied with the information received from Audet and that it "believes Audet's Petition to amend its Certificate of Public Good does not raise any significant issues with respect to the substantive criteria of Section 248, provided all of the recommendations in the system impact study are followed."

## **III. FINDINGS**

1. Petitioner is a Vermont limited liability company whose members, the Audet family, are owners of a dairy farm known as Blue Spruce Farm, located in Bridport, Vermont. Petition at 1.

2. Petitioner currently operates a farm-methane electrical generating facility at the farm. The generating facility was granted a CPG by the Board on September 9, 2004, in Docket No.

6977. The Board subsequently approved the transfer of the CPG to Petitioner in an Order dated April 8, 2005. On September 8, 2006, the Board approved the installation of a second generator set ("genset") in Docket 7198. Petition at 1.

3. Currently the generation facilities consist of two parallel gensets. The first genset installed is a 344 kVA unit with a peak output of 207 kW. The second is a 146 kVA unit with a peak output of 80 kW. Petition at 1.

4. Petitioner proposes to replace the 344 kVA genset with a 750 kVA genset capable of producing 600 kW. Audet pf. at 2.

5. The new genset will be located in the same building that houses the existing generator, although the building will be increased in size to accommodate the new genset.<sup>3</sup> The building addition will be 22 feet by 30 feet. Audet pf. at 4; exh. 3.

6. Petitioner has constructed a new digester to enhance the manure management facilities. Audet pf. at 3.

7. There is a potential for the new genset to negatively impact reliability and power quality in the area due to the size of the generating units and the weakness of the electric system serving the area. However, these potential problems can be mitigated through proper control strategies. Exh. 6 at 20.

8. The new interconnection facilities required as a result of the new genset will likely include the installation of five new antennas with associated equipment cabinets; replacement of three existing poles with new, taller poles; and new circuit breakers. The Facilities Study that will identify the necessary equipment has not been finalized. Letter of August 1, 2011, from Morris Silver, Esq., to Susan Hudson, Clerk of the Board.

9. The Bridport Planning Commission and the Addison County Regional Planning Commission have both issued letters stating that the project is consistent with the town and regional plan, respectively. Audet pf. at 4-5; exhs. 4 and 5.

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3. The existing generator building is 55 feet by 40 feet. *See* Docket 6977, Order of 9/9/04 at 5 (finding 7).

#### **IV. DISCUSSION AND CONCLUSION**

With the exception of the impact on Section 248(b)(3) (system stability and reliability) and Section 248(b)(10) (existing and planned transmission facilities), the project does not have the potential for significant impacts to the substantive criteria of Section 248(b).

The testimony submitted in this proceeding indicates that the project will not have an adverse impact on system stability and reliability or existing and planned transmission facilities provided that Petitioner installs the necessary equipment prior to interconnection and implements any necessary operating protocols. However, the Facilities Study for the new genset has not been finalized and therefore the exact nature of the facilities that need to be installed prior to interconnection is not known at this time. We condition amendment of the CPG on the requirement that Petitioner be responsible for, and pay for, the implementation of all interconnection equipment and system upgrades identified in the Facilities Study. In addition, Petitioner must file the completed Facilities Study with the Board and parties for approval prior to interconnection of the project. If the Facilities Study identifies upgrades that are substantially different from those identified in the filings provided to the Board to date, Petitioner may be required to seek an amendment for the project, pursuant to Board Rule 5.408.

In addition to the replacement of the genset, Petitioner also requests that the Board remove restrictions associated with the feedstock used in the digester, stating:

Although Petitioner intends to continue to use manure produced on the Farm as the primary feedstock, the additional digester capacity will allow for the use of additional feedstock, from both off-farm and on-farm sources. The existing CPG limits feedstock to manure produced on the Farm. Although Petitioner currently does not have specific plans to use alternative feedstock, Petitioner wants to ensure the CPG allows for the future use of alternate feedstock as the need and opportunities arise.

Petitioner does not provide a citation to the restriction or recite the language of the restriction. The Board has not found a restriction on the feedstock in the Orders and associated CPGs issued on September 9, 2004, or September 8, 2006. However, given the increase in the size of the genset, we conclude that a restriction on the amount of feedstock transported to the site may be appropriate in order to address the criterion set forth in 10 V.S.A. § 6086(a)(5) (effect on transportation systems), as incorporated into Section 248(b)(5). The Board's September 9,

2004, Order, does not indicate that feedstock is being brought to the farm from off-site.

Petitioner must provide information regarding the source of the feedstock currently being used in the digester and, if any feedstock is currently being sourced from off-site, the number of truck trips per week associated with the delivery of the feedstock. Petitioner must also provide the maximum number of truck trips that may be required for delivery of off-site feedstock in the future associated with the larger generation capacity. Such information shall be filed by September 30, 2011, with any comments on whether a restriction is appropriate in light of the information filed by October 17, 2011.

The Board reserves the authority to add a condition to the CPG restricting transportation of off-site feedstock.

#### **V. ORDER**

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED by the Public Service Board of the State of Vermont that the replacement by Audet's Cow Power, LLC of a 344 kVA, methane-fueled engine-generator set with a 750 kVA methane-fueled engine-generator set at the Blue Spruce Farm in Bridport, Vermont, in accordance with the evidence and plans presented in this proceeding, will promote the general good of the State of Vermont and an Amended Certificate of Public Good shall be issued in the matter, subject to the following conditions:

1. Construction and operation of the project shall be in accordance with the plans and specifications submitted in this proceeding. Any material deviation from these plans or specifications must be approved by the Board.
2. Petitioner shall file the Facilities Study with the Board and parties for approval by the Board.
3. Petitioner shall be responsible for, and pay for, the implementation of all interconnection equipment and system upgrades identified in the Facilities Study.
4. By September 30, 2011, Petitioner shall provide information regarding the source of the feedstock currently being used in the digester, and, if any feedstock is being sourced from off-site, the number of truck trips per week associated with the delivery of the feedstock.

5. The Board reserves the authority to add a condition to the CPG restricting transportation of off-site feedstock.

Dated at Montpelier, Vermont, this 15<sup>th</sup> day of September, 2011.

<u>s/James Volz</u>	)	
	)	PUBLIC SERVICE
	)	
<u>s/David C. Coen</u>	)	BOARD
	)	
	)	OF VERMONT
<u>s/John D. Burke</u>	)	

OFFICE OF THE CLERK

FILED: September 15, 2011

ATTEST: s/Susan M. Hudson  
Clerk of the Board

*NOTICE TO READERS: This decision is subject to revision of technical errors. Readers are requested to notify the Clerk of the Board (by e-mail, telephone, or in writing) of any apparent errors, in order that any necessary corrections may be made. (E-mail address: psb.clerk@state.vt.us)*

*Appeal of this decision to the Supreme Court of Vermont must be filed with the Clerk of the Board within thirty days. Appeal will not stay the effect of this Order, absent further Order by this Board or appropriate action by the Supreme Court of Vermont. Motions for reconsideration or stay, if any, must be filed with the Clerk of the Board within ten days of the date of this decision and order.*